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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,443	10/18/2002	Frederique Segond	D/A2447	1355

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EXAMINER

ARMSTRONG, ANGELA A

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,443

Applicant(s)

SECOND ET AL.

Examiner

Angela A. Armstrong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 5-7, 10-11, 13, and 15-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Polanyi et al (US Patent No. 6,866,510).
3. Polanyi discloses a system and method for teaching second language writing skills using the linguistic discourse model.
4. Regarding claims 1, 19 and 20, Polanyi discloses a system operating on a network for learning a language (Figure 1; col. 3, lines 1-25; col. 8, lines 52-65) the system comprising: a memory (130,170,190) for storing a scenario having tasks to be carried out in the language; a connection manager (160,195) for accepting a plurality of connections requested over the network from one or more user systems; a virtual reality subsystem for representing the scenario in a physical setting in a user interface operating on each user system connected to the learning system (col. 3, lines 10-25); a communication subsystem for providing at least one channel over which users of the user systems communicate text when carrying out the tasks in the language (Figure 1; col. 3, lines 1-25; col. 8, lines 52-65); a set of linguistic tools for receiving and disambiguating an identified term in specified text received from one of the connected user systems (col. 3, line 26 to col. 4, line 32); and a search subsystem for retrieving

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information on the network related to the specified text (col. 3, line 26 to col. 4, line 32); wherein the set of linguistic tools disambiguates the identified term in the information retrieved by the search subsystem to identify example uses having a meaning similar to the identified term in the specified text to aid the users of the user systems to comprehend the text communicated in the language over the at least one channel (col.3, line 26 to col. 4, line 67).

Regarding claim 5, Polanyi discloses a language guesser (220) for filtering out text communicated using the communication subsystem that is other than in the language (col. 4, lines 40-56).

Regarding claim 6, Polanyi discloses a language guesser for filtering out search results That are other than in the language (col. 4, lines 40-56).

Regarding claim 7, Polanyi discloses the set of linguistic tools measures a language level of text communicated over the at least one channel (col. 5, line 60 to col. 6, line 50).

Regarding claim 10, Polanyi discloses the set of linguistic tools disambiguates the identified term in the information retrieved by the search subsystem to identify example uses having a meaning dissimilar to the identified term in the specified text (col. 3, line 26 to col. 5, line 13).

Regarding claim 11, Polyani discloses recommender subsystem for receiving recommendations from and distributing those recommendations to selected ones of the users operating the user systems connected to the learning system (col. 5, lines 14-21).

Regarding claim 13, Polanyi discloses the set of linguistic tools comprises one or more of a spell checker, a thesaurus, a morphological analyzer, a contextual disambiguator, a sense disambiguator, and term extractor (col. 3, line 26 to col. 5, line 13; col. 7, lines 49-60).

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Regarding claim 15, Polanyi discloses the set of linguistic tools sense disambiguates the identified term in the specified text (col. 3, line 26 to col. 5, line 13; col. 7, lines 49-60).

Regarding claim 16, Polanyi discloses the set of linguistic tools syntactically disambiguates the identified term in the specified text (col. 3, line 26 to col. 5, line 13; col. 7, lines 49-60).

Regarding claim 17, Polanyi discloses a session database for recording session history of the tasks of the scenario carried out by the users operating the user systems connected to the learning system (col. 8, lines 10-12).

Regarding claim 18, Polanyi discloses the session history provides a measure of one of user language ability and user capacity for carrying out assigned tasks (col. 8, lines 10-12).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Polanyi.

7. Regarding claim 14, Polanyi does not teach a converter for converting audio to text.

However, providing for speech to text conversion was well known in the art, so as to provide a means of creating text documents via dictation. It would have been obvious to one of ordinary skill at the time of the invention to modify the system of Polanyi to provide for speech-to-text

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conversion, as was well known in the art, for the purpose allowing users to create text documents via speech dictation.

8. Claims 2-4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Polanyi in view of McCormick et al (US Patent No. 6,741,833).

9. Regarding claims 2-4, Polanyi does not teach the implementation of a user profile to filter search results or provide learning scenarios to the user. In a similar field of endeavor, McCormick discloses a learning activity platform and method for teaching a foreign language over a network, and specifically teaches the use of a player profile that includes information related to interest, ability level, and topic subject matter for each player, such that objective and displayed content matter is geared to the profile of the player (col. 8, lines 52-65). McCormick suggests the system is useful in that it provides a learning activity that exercises a student's oral and written proficiencies in a foreign language. It would have been obvious to one of ordinary skill at the time of the invention to modify, the system of Polanyi to provide user profiles of the students so as to provide learning activities geared to the user's profile, so as to provide efficient learning activities that exercises a student's specific oral and written proficiencies in a foreign language.

Regarding claim 12, Polanyi does not teach the implementation of a chat window. McCormick teaches a chat window/display (88) to allow the users/players to engage in text chat to pass and receive comments with other users. McCormick suggests the system is useful in that it provides a teaching method that does not require a teacher or moderator and enables students to teach each other, which encourages or entices students to continue their language education.

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It would have been obvious to one of ordinary skill at the time of the invention to modify the system of Polanyi to provide for chat windows and real time communication amongst the users of the learning system, for the purpose of providing a teaching method that enables students to teach each other, so as to encourage or entice students to continue their language education.

10. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Polanyi in view of Murakami (US Patent No. 7,043,438).

11. Regarding claims 8-9 Polanyi does not teach monitoring a measure of social behavior over a channel is below a predefined minimum level so as to provide warnings or filter text. Murakami discloses a moral standard protecting system for use in voice and/or text communication and interactive gaming systems, which monitors any problem actions in morals such as aspersion, detraction, and decrial against the others in a voice and/or text communication such as chat, voice chat, electronic bulletin board, electronic message board, or the like and that restricts or rejects a utilization of a user who has done problem actions in morals. It would have been obvious to one of ordinary skill at the time of the invention to modify the system of Polanyi to provide for a moral standard protecting system as suggested by Murakami, for the purpose of ensuring obscene or offensive material is not submitted to the system and to other users.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Emens et al (US Patent No. 6,493,744) discloses an automatic rating and filtering of data files for objectionable content.

Rosenfield et al (US Patent No. 6,358,053) discloses an interactive online language instruction.

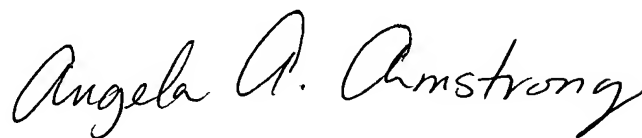
Remschel (US Patent No. 6,41,528) discloses a learning system with roster files.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 571-272-7598. The examiner can normally be reached on Monday-Thursday 11:30-8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in cursive script that reads "Angela A. Armstrong".

Angela A Armstrong
Primary Examiner
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AAA
June 23, 2006